

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

December 1, 2015

TO: David Sullivan, Director

DEPT: Department of Revenue

FROM: James Botvin, Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Wednesday, November 18, 2015. Board members present: James Botvin, Marc Levasser, William Jeffrey and Joseph Solomon, Esq. Also present was Bradford Booth, Esq., Deputy Chief of Legal Services Division of Motor Vehicles and Michael Taylor.

Absent: Lt. David Doucet of the Rhode Island State Police.

**MEETING OF November 18, 2015 AT 12:30 PM AT THE
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE MEETING
OF:**

OCTOBER 21, 2015 BOARD HEARING.

**The Board has reviewed and approved the minutes of October 21,
2015**

**2. CYNTHIA LAW AND DEALERS' LICENSE & REGULATIONS OFFICE
VS. CERTIFIED AUTO SALES AND SERVICE**

CASE # KR-150-320

COMPLAINT / SHOW CAUSE HEARING

**Decision: The Board has unanimously ordered the dealership to buy
back the vehicle for \$2147.26 which includes the sale price of the
vehicle,\$1735.00, and the cost of repairs to the vehicle, \$412.26.
Consumer can submit a request to the State of Rhode Island for the
return of sales tax paid within the applicable statute of limitations.**

Page 1 of 4

PAGE 2 OF 4

HEARING RESULTS November 18, 2015

The Board has fined Dealer \$500.00 for violation of RI GL§ 31-5-11

(3), (10), and or (11) related to the sale of the vehicle and has ordered an audit of all sales folders for the year 2014. Folders must include copies of the original document of the sale to the dealership, the price paid for the vehicle, the wholesale bills of sale and other documents required to be maintained by Dealer. Folders are to be submitted to the RI Dealers License and Regulation Office in numerical order.

3. CHRISTINE CARTAGENA/ (John Longo, Esq.)AND DEALERS' LICENSE & REGULATIONS OFFICE VS. THE CAR LOT, INC (Robert Corsi, President)

CASE # AM-150-187

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board, by a 3-1 vote (Yes: Botvin, Levasser and Jeffrey; No: Solomon), has ordered Dealer to pay Consumer \$135.00, based on an estimate submitted to the Board by Dealer, to cover the cost of replacing two tires which are a different size than the other two and also one having dry rot.

4. CANDIDA LAITAO AND DEALERS' LICENSE & REGULATIONS OFFICE VS APPLE VALLEY AUTO SALES & SERVICE, LLC (Mario Rey, Pres.)

CASE # AM-150-249 CONTINUANCE

Decision: The Board unanimously modified its prior order and has requested that Consumer obtain a quote for a title bond from the insurance company to allow her to register her vehicle. Consumer should then submit the estimate to the Board. Upon receipt of the estimate the Board will submit the estimate to Dealer. Dealer shall provide funds to Consumer to obtain the bond within 5 days of Dealer's receipt of the estimate.

The Board has ordered Dealer to appear before the Dealer Hearing Board at the December 2, 2015 meeting to review why it failed to appear as requested at the November 18, 2015 Dealer Board hearing.

**5. AMBER SNOOKS AND DEALERS' LICENSE & REGULATIONS
OFFICE VS. RT 6 AUTO SALES (Leonard Curreri, Pres.),
Christopher Millea, Esq.**

**CASE # AM-150171- RESCHEDULED
COMPLAINT / SHOW CAUSE HEARING**

Joseph Solomon, Esq. has abstained from voting on this case.

Decision: The Board unanimously has determined Route 6 Auto Sales is in violation of the following Rhode Island Rules and Regulations and is required to pay the amounts listed below which total \$1700.00 to the Rhode Island Dealers License and Regulations Office within 10 days of receiving the formal decision.

Fine: \$400.00 (\$100.00x 4 violations) Violation of RI Rules and Regulations Section VII (L): Four persons on auction list that are not employees.

Fine: \$100.00 Violation of RI Rules and Regulations Section VII (E): Required information pertaining to safety inspection is missing from the bill of sale.

Fine: \$200.00 Violation of RI Rules and Regulations Section IV (L): Non- employee sold vehicle.

**Fine: \$500.00 Violation of RI Rules and Regulations Section IV (R):
Failed to inspect vehicle prior to offering for sale.**

**Fine: \$500.00 Violation of RI Rules and Regulations Section IV (P):
Dealership not open for business as required.**

The Board has ordered Dealer to configure available square footage that is occupied by its dealership and auto collision business to create a space for the dealership that is in accordance with that required by law, 2400 square foot office space and 2400 square foot display area.

The Board has also ordered Dealer to provide proof of a release from Consumer by December 2, 2015.

**6. BRENDA SANTIAGO AND DEALERS' LICENSE & REGULATIONS
OFFICE VS. GARCIA AUTO SALES, INC (Jose Perez, Pres.)**

CASE # AM-150-106

COMPLAINT / SHOW CAUSE HEARING

POSTPONED BY DEALER

**7. JANEIKA BUTLER AND DEALERS' LICENSE & REGULATIONS
OFFICE VS. GARCIA AUTO SALES (Jose Perez, Pres.)**

CASE # AM-140-366

COMPLAINT / SHOW CAUSE HEARING

POSTPONED BY DEALER

James Botvin, Chairman

**Cc: Bradford Booth, Esq., Deputy Chief of Legal Services, Division of
Motor Vehicles**